

## **EXHIBIT A**

LAW OFFICES OF

**KIRSTEN B. ENNIS, LLC**

KIRSTEN B. ENNIS, LL.M.  
Master of Laws in Taxation  
Member NJ and FL Bar

Of Counsel  
DAVID J. KNAPP  
Member PA and NJ Bar

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November 5, 2014

**Via : Regular Mail, fax: 813-221-7909 and email:service@blawgroup.com**

Attn: Bruce M. Rodgers, Esq.  
BUSINESS LAW GROUP, PA  
301 West Platt Street, Suite 375  
Tampa, FL 33606

**Re: NOTICE OF BANKRUPTCY STAY & DEMAND CEASE AND DESIST**  
Chapter 13 Bankruptcy Filed Date: 10/23/2014  
Case No.: 14-31613  
Debtors: Candido Ortiz  
Property Address: 9306 Crescent Loop Circle Apt. 201 Tampa, FL 33619  
Creditor: Crosswynde Condo Assoc.  
Creditor Acct#: 17-201

Dear Sir/Madam:

This office represents the Debtor in the above-captioned bankruptcy. Attached is a copy of the Notice of Bankruptcy Case filing and the first 3 pages of the filed petition dated October 23, 2014. My office was advised by phone on November 5, 2014 that a Sale of the above-captioned property was conducted on October 24, 2014, after the issuance of the Order for Relief in the aforementioned bankruptcy. **My office was not informed of the scheduled sale date at the time of the Bankruptcy filing.** Despite such, it is the Debtor's intention to cure the delinquent Homeowner's Association Dues through his Chapter 13 Bankruptcy. Attached is a copy of the Chapter 13 Bankruptcy Plan indicating same.

Pursuant to Title 11 U.S.C. §362 of the Bankruptcy Code, the sale was conducted in violation of the automatic stay. Please make immediate efforts to reverse and/or cancel said sale.

Demand is hereby made to cease and desist all attempts to collect any pre-petition debts.

**NOTICE IS HEREBY GIVEN** that the Debtor and this law office may utilize recording devices in order to document any telephone conversations that may occur in the future.

If it becomes necessary to file any motions to enforce this demand on behalf of the Debtor(s), then please be advised and take due notice that our client will be seeking actual damages, statutory damages, reduction or loss of any bankruptcy claim filed by you and/or your client, and our reasonable attorney fees based on our hourly rate of \$325.00. You are also hereby placed on notice that if unlawful and illegal conduct persists or is egregious, then our client will also seek an award of punitive damages as may be determined at the discretion of the Bankruptcy Court. This will be your last warning.

Sincerely yours,

KIRSTEN B. ENNIS, LLC  
By: /s/ *Kirsten B. Ennis*  
Kirsten B. Ennis, Esquire

I-Got-Notices

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**Date** : 10/23/2014 5:30:38 PM  
**From** : cmecf\_help\_desk@njb.uscourts.gov  
**To** : pacerecf@ennislegal.com  
**Subject** : Ch-13 14-31613 Voluntary Petition (Chapter 13)-Candido Ortiz  
**Additional** :  
**Case Number**: 14-31613  
**Case Name** : Candido Ortiz

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**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30-page limit do not apply.

**U.S. Bankruptcy Court**

**District of New Jersey**

Notice of Bankruptcy Case Filing

The following transaction was received from Kirsten B. Ennis entered on 10/23/2014 at 5:30 PM EDT and filed on 10/23/2014

**Case Name:** Candido Ortiz  
**Case Number:** 14-31613  
**Document Number:** 1

**Docket Text:**

Chapter 13 Voluntary Petition Filed by Kirsten B. Ennis on behalf of Candido Ortiz. (Ennis, Kirsten)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**B:\ECF\Ortiz, Candido\Petition.PDF

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=1002741850 [Date=10/23/2014] [FileNumber=39973505-0] [37c5801f417cdf4f5f2ad7ee5cda738daaef93da8832823c93f3b557ac424bd0c8b4ebe70fb3587136252a94172a751809f3dff14ba5e82b1737532771c5af4]]

**14-31613 Notice will be electronically mailed to:**  
U.S. Trustees Office

Kirsten B. Ennis on behalf of Debtor Candido Ortiz

pacerecf@ennislegal.com

**14-31613 Notice will not be electronically mailed to:**

BI (Official Form 1)(04/13)

<b>United States Bankruptcy Court</b> <b>District of New Jersey</b>			<b>Voluntary Petition</b>										
Name of Debtor (if individual, enter Last, First, Middle): <b>Ortiz, Candido</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):											
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):											
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) <b>xxx-xx-9780</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)											
Street Address of Debtor (No. and Street, City, and State): <b>114 E. High Street</b> <b>Bound Brook, NJ</b> <div style="text-align: right;">ZIP Code <b>08805</b></div>		Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div>											
County of Residence or of the Principal Place of Business: <b>Somerset</b>		County of Residence or of the Principal Place of Business:											
Mailing Address of Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>		Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>											
Location of Principal Assets of Business Debtor (if different from street address above):													
<b>Type of Debtor</b> (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		<b>Nature of Business</b> (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other											
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b> <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding											
<b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<b>Nature of Debts</b> (Check one box) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.											
<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).											
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		<b>THIS SPACE IS FOR COURT USE ONLY</b>											
<b>Estimated Number of Creditors</b> <table style="width: 100%; text-align: center;"><tr><td><input checked="" type="checkbox"/> 1-49</td><td><input type="checkbox"/> 50-99</td><td><input type="checkbox"/> 100-199</td><td><input type="checkbox"/> 200-999</td><td><input type="checkbox"/> 1,000-5,000</td><td><input type="checkbox"/> 5,001-10,000</td><td><input type="checkbox"/> 10,001-25,000</td><td><input type="checkbox"/> 25,001-50,000</td><td><input type="checkbox"/> 50,001-100,000</td><td><input type="checkbox"/> OVER 100,000</td></tr></table>				<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99			<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <table style="width: 100%; text-align: center;"><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input checked="" type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>				<input type="checkbox"/> \$0 to \$50,000	<input checked="" type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
<input type="checkbox"/> \$0 to \$50,000	<input checked="" type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion				
<b>Estimated Liabilities</b> <table style="width: 100%; text-align: center;"><tr><td><input checked="" type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>		<input checked="" type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		
<input checked="" type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion				

B1 (Official Form 1)(04/13)

Page 2

<b>Voluntary Petition</b> (This page must be completed and filed in every case)		Name of Debtor(s): <b>Ortiz, Candido</b>	
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)</b>			
Location Where Filed: <b>- None -</b>		Case Number:	Date Filed:
Location Where Filed:		Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)</b>			
Name of Debtor: <b>- None -</b>		Case Number:	Date Filed:
District:		Relationship:	Judge:
<b>Exhibit A</b>  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		<b>Exhibit B</b>  (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).  <b>X</b> <u>/s/ Kirsten B. Ennis, Esq.</u> <u>October 9, 2014</u> Signature of Attorney for Debtor(s) (Date) <b>Kirsten B. Ennis, Esq.</b>	
<b>Exhibit C</b>  Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.			
<b>Exhibit D</b>  (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box)  <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes)  <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)  _____ (Name of landlord that obtained judgment)  _____ (Address of landlord)  <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):  
**Ortiz, Candido**

**Signatures**

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Candido Ortiz  
Signature of Debtor **Candido Ortiz**

**X** \_\_\_\_\_  
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**October 9, 2014**  
Date

**Signature of Attorney\***

**X** /s/ Kirsten B. Ennis, Esq.  
Signature of Attorney for Debtor(s)

**Kirsten B. Ennis, Esq. KBE7927**  
Printed Name of Attorney for Debtor(s)

**Kirsten B. Ennis LLC**  
Firm Name  
**92 East Main St., Suite 407**  
**Somerville, NJ 08876**

Address

Email: [mail@ennislegal.com](mailto:mail@ennislegal.com)

**908-713-0345 Fax: 908-713-0297**

Telephone Number

**October 9, 2014**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

**X** \_\_\_\_\_

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.*

Case 14-31613-KCF Doc 2 Filed 10/23/14 Entered 10/23/14 17:30:54 Desc Main  
Document Page 1 of 5

Last revised 12/1/11

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

IN RE: **Candido Ortiz**

Case No.:

Judge:

Debtor(s)

Chapter:

**13**

**CHAPTER 13 PLAN AND MOTIONS**

☒ Original  
☐ Motions Included

☐ Modified/Notice Required  
☐ Modified/No Notice Required

☐ Discharge Sought  
☒ No Discharge Sought

Date: 9/15/2014

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13  
OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor shall pay 300.00 Monthly to the Chapter 13 Trustee, starting on October 1, 2014 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒ Future Earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.



e. ☐ Other information that may be important relating to the payment and length of plan:

## Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_ (creditor).

## Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Kirsten B. Ennis, Esq. ~KBE7927	Attorney Fees	1,000.00

## Part 4: Secured Claims

### a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

### b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor
-NONE-

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
Crosswynde Condo Assoc.	9306 Crescent Loop Circle Apt 201 Tampa FL 33619	15,000.00

**Part 5: Unsecured Claims**

**a. Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_ Not less than \$\_\_\_ to be distributed *pro rata*

\_\_\_ Not less than \_\_\_ percent

x  Pro rata distribution from any remaining funds

**b. Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

## Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served.**

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan being confirmed pursuant to the terms as set forth in the plan.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).** The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. **Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. **Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

## Part 8: Other Plan Provisions

a. **Vesting of Property of the Estate** Property of the Estate shall revert in the Debtor:

☒ Upon Confirmation  
☐ Upon Discharge

b. **Payment Notices** Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. **Order of Distribution** The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. **Post-petition claims** The Trustee is ☐, is not ☒ authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

#### Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified:

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified
Are Schedules I and J being filed simultaneously with this modified Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No	

#### Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date October 9, 2014

/s/ Kirsten B. Ennis, Esq.  
Kirsten B. Ennis, Esq.  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date October 9, 2014

Signature /s/ Candido Ortiz  
Candido Ortiz  
Debtor

**Date:** 11/5/2014 10:03:18 AM  
**Subject:** Candido Ortiz  
**From:** "Jasmyn Kocsis" <jasmyn@ennislegal.com>  
**Recipients:** service@blawgroup.com;  
**Attachments:**  
1) 20141104221258448.pdf

Good Morning,

Please find attached the Notice of Bankruptcy Stay pertaining to Candido Ortiz. Same has been faxed and mailed via regular mail to your office.

Thank you,

Jasmyn Kocsis, Legal Assistant  
Law Offices of Kirsten B. Ennis, LLC  
92 East Main Street, Suite 407  
Somerville, NJ 08876  
(908) 713-0345  
(908) 713-0297 fax  
[jasmyn@ennislegal.com](mailto:jasmyn@ennislegal.com)  
<http://www.ennislegal.com>

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\* \* \* Communication Result Report ( Nov. 4. 2014 10:18PM ) \* \* \*

1) Kirsten B. Ennis Esq. 9087130297  
2) 908-713-0297

Date/Time: Nov. 4. 2014 10:13PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
8582 Memory TX	18132217909	P. 11	OK	

Reason for error  
E. 1) Hang up or line fail  
E. 2) No answer  
E. 3) Exceeded max. E-mail size

E. 2) Busy  
E. 4) No facsimile connection

KIRSTEN B. ENNIS, LL.M.  
Member of Law in Thailand  
Member NJ and FL Bar

Of Counsel  
DAVID J. KRAFT  
Member PA and NJ Bar

November 5, 2014

LAW OFFICES OF  
**KIRSTEN B. ENNIS, LLC**

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Via: Regular Mail, fax: 813-321-7909 and email: service@blawgroup.com

Attn: Bruce M. Rodgers, Esq.  
BUSINESS LAW GROUP, PA  
301 West Platt Street, Suite 375  
Tampa, FL 33606

Re: **NOTICE OF BANKRUPTCY STAY & DEMAND CEASE AND DESIST**  
Chapter 13 Bankruptcy Filed Date: 10/23/2014  
Case No.: 14-31613  
Debtor: Candido Ortiz  
Property Address: 9306 Crescent Loop Circle Apt. 201 Tampa, FL 33619  
Creditor: Crosswinds Condo Assoc.  
Creditor Acct#: 17-201

Dear Sir/Madam:

This office represents the Debtor in the above-captioned bankruptcy. Attached is a copy of the Notice of Bankruptcy Case filing and the first 3 pages of the filed petition dated October 23, 2014. My office was advised by phone on November 5, 2014 that a Sale of the above-captioned property was conducted on October 24, 2014, after the issuance of the Order for Relief in the aforementioned bankruptcy. My office was not informed of the scheduled sale date at the time of the Bankruptcy filing. Despite such, it is the Debtor's intention to cure the delinquent Homeowner's Association Dues through his Chapter 13 Bankruptcy. Attached is a copy of the Chapter 13 Bankruptcy Plan indicating same.

Pursuant to Title 11 U.S.C. §362 of the Bankruptcy Code, the sale was conducted in violation of the automatic stay. Please make immediate efforts to reverse and/or cancel said sale.

Demand is hereby made to cease and desist all attempts to collect any pre-petition debts.

**NOTICE IS HEREBY GIVEN** that the Debtor and this law office may utilize recording devices in order to document any telephone conversations that may occur in the future.

If it becomes necessary to file any motions to enforce this demand on behalf of the Debtor(s), then please be advised and take due notice that our client will be seeking actual damages, statutory damages, reduction or loss of any bankruptcy claim filed by you and/or your client, and our reasonable attorney fees based on our hourly rate of \$325.00. You are also hereby placed on notice that if unlawful and illegal conduct persists or is egregious, then our client will also seek an award of punitive damages as may be determined at the discretion of the Bankruptcy Court. This will be your last warning.

Sincerely yours,

KIRSTEN B. ENNIS, LLC  
By: *Kirsten B. Ennis*  
Kirsten B. Ennis, Esquire